

Existing law requires the entire costs of the clerks of the courts of appeal to be \$25 in all criminal cases, in all proceedings connected with criminal cases, except for bond forfeiture proceedings, and in all appeals taken from sentences imposed for violation of municipal or parochial ordinances.

New law retains provisions of existing law but provides that the appeals in criminal cases must relate to a violation of state law.

New law requires, in the above-mentioned criminal proceedings for violation of state law and the inmate has been sentenced to the actual physical custody and control of DPS&C, that DPS&C withdraw funds from an inmate's drawing or savings account for the reimbursement of fees which have been paid by the parish to a clerk of the court of appeal.

- (1) Presentation to DPS&C of a certified copy of the appeal or writ to the court of appeal in a matter in which the inmate is a party.
- (2) Written request or authorization of the inmate.
- (3) Order of a court of competent jurisdiction.

New law requires DPS&C to forward the funds collected to the clerk of the court of appeal that charged the fee.

New law requires the department to obtain the fee by prohibiting withdrawals from the inmate's drawing or savings account until the fee has been paid in full to the clerk of the court of appeal, unless specific withdrawals for other purposes are authorized by law.

New law provides that the entire costs of the clerks of the courts of appeal shall be paid by the parish in which the cases or proceedings originated for violations of state law when the defendant is not sentenced to the actual physical custody and control of DPS&C.

New law includes authorization for the department to withdraw fees from an inmate's drawing or savings account that are due to the clerk of court for payment of the costs of appeal or writ to a court of appeal.

Effective August 15, 1999.

(Amends R.S. 13:352(A)(5); Adds R.S. 15:874(4)(g))